

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORKAMENDED
COMPLAINTTremaine A. Robertson
AMKC 1818 HAZEN STREET
EAST ELMHURST NY 11370 Dorm 17 Upper A #28
(In the space above enter the full name(s) of the plaintiff(s).)

-against-

STATE/CITY OF New York -
Commissioner Bill Bratton -
NYC Police Department
42nd Precinct - Commanding
Officer Van Patten -
Police Officer J. Jimenez #26571
John Doe Police Officer Partner
of J. Jimenez

STATE OF New York...

(In the space above enter the full name(s) of the defendant(s). If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed in the above caption must be identical to those contained in Part I. Addresses should not be included here.)

COMPLAINT

under the
Civil Rights Act, 42 U.S.C. § 1983
(Prisoner Complaint)Jury Trial: ☒ Yes ☐ No
(check one)RECEIVED
SDNY PRO SE OFFICE
2015 NOV 10 AM 10:05

I. Parties in this complaint:

- A. List your name, identification number, and the name and address of your current place of confinement. Do the same for any additional plaintiffs named. Attach additional sheets of paper as necessary.

Plaintiff

Name Tremaine A. ROBERTSON - 140-19
ID # 241-1506769
Current Institution WEST 17-Upper A #28
Address AMKC-18-18-HAZEN STREET E. ELMHURST
NY 11370 - Dorm - West 17-Upper A #28

- B. List all defendants' names, positions, places of employment, and the address where each defendant may be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.

Defendant No. 1

Name POLICE OFFICER J. Jimenez Shield # 26571
Where Currently Employed 42nd Precinct
Address

Defendant No. 2

Name John DOE POLICE OFFICER Shield # _____
 Where Currently Employed 42nd Precinct
 Address OFFICER JAMES PATNER

Defendant No. 3

Name LT JAM PUTTEN Shield # _____
 Where Currently Employed 42 - Precinct
 Address 42 Precinct
PO JAMES COMMUNITY OFFICER

Defendant No. 4

Name BILL BRATTON - POLICE COMM SUPER Shield # _____
 Where Currently Employed 1 POLICE PLAZA -
 Address _____

Defendant No. 5

Name STATE OF NEW YORK POLICE DEPARTMENT Shield # _____
 Where Currently Employed 42nd Precinct
 Address _____

II. Statement of Claim:

State as briefly as possible the facts of your case. Describe how each of the defendants named in the caption of this complaint is involved in this action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach additional sheets of paper as necessary.

A. In what institution did the events giving rise to your claim(s) occur?

AT MY FORMER PLACE OF EMPLOYMENT - 375 E
163RD STREET EKG Care Care

B. Where in the institution did the events giving rise to your claim(s) occur?

IM BEING DETAINED - FOR FALSE ARREST AND
WRONGFUL INCARCERATION - ABUSE OF PROCESS
FRAUD.

C. What date and approximate time did the events giving rise to your claim(s) occur?

JANUARY 28th 2013 - AT MY DOJ DEPRIVATION OF MY CIVIL RIGHTS
VIOLATION OF MY 14th AMENDMENT RIGHTS OF DUE PROCESS OF LAW EQUAL
PROTECTION - MALICIOUS PROSECUTION - THERE WAS NO PROBABLE CAUSE AS
THIS FALSE ARREST VIOLATION OF 4th 8th - 6th 14th AMENDMENTS
MALICIOUS INTENT, INTENTIONAL INFLECTION OF EMOTIONAL DISTRESS
MISCONDUCT AND MALFEASANCE, VIOLATION OF PENAL LAW
240.05 PERJURY AND FILING A FALSE SWORN STATEMENT - FRAUD

? Why Am I on trial in Criminal Court without a ticket?

D. Facts: On or About Jan-28-2013, At my place of Employment... OFFICER J. JIMENEZ Drove south 163rd Street Between BACLOUSE AND COURTLAND AVE in the Bronx, NY. A one way Street in the wrong direction... NO LIGHTS NO SIRENS AND APPROACHING ME AND ASKING IF I HAD A LICENSE... I SAID NO I AM A MECHANIC I WORK NEXT DOOR... HE SAID DO YOU HAVE ANYTHING IN YOUR POCKET'S I SAID MY TOOLS AND A BATTERY TERMINAL AND SOME TOOLS... HE ALSO ASKED IF I WAS ON PAROLE OR PROBATION - WHEN I SAID PAROLE HE PUT ME IN COFFS I SAID "I WORK NEXT DOOR" I TOLD HIM "MY BOSS IS IN THE SHOP" WE KNOCKED MY BOSS MUST HAVE WENT TO THE STORE... HE SAID WE HAVE TO GO TO THE PRECINCT TO STRAIGHTEN THIS OUT I SAID WHAT FOR... I ASK WHY AM I GOING TO THE PRECINCT HE SAID FOR DRIVING WITHOUT A LICENSE "I SAID THE CAR IS ON THE SIDEWALK IN A PARKING LOT YOU MURDER" AND ON A JACK WITH A DEAD BATTERY "YOU AREA LYING ASS M - - - C K W" I ASKED HOW CAN I DRIVE A CAR ON A FLAT AND A DEAD BATTERY

What happened to you?

Who did what?

Was anyone else involved?

Who else saw what happened?

III. Injuries:

If you sustained injuries related to the events alleged above, describe them and state what medical treatment, if any, you required and received. I HAVE BEEN IN AND OUT OF THE PRISON CLINIC'S FOR ELEVATED HIGH BLOOD PRESSURE DUE TO STRESS FROM THIS FALSE ARREST... UNLAWFUL IMPRISONMENT

I HAVE HAD ARGUMENTS AND PROBLEM WITH OFFICER'S BECAUSE OF THIS INTENTIONAL INFILTRATION OF FURNISHED DISTRESS... I AM ALSO EXPERIENCING PROBLEM WITH MY FAMILY AND CLOSE ASSOCIATES BECAUSE OF THIS FALSE ARREST AND MY JOB MAY AT RISK OR GONE WHEN RELEASED

IV. Exhaustion of Administrative Remedies:

The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted." Administrative remedies are also known as grievance procedures.

A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

Yes ☒ No ☐

APRIL-2013 - WARRANT FOR FALSE ARREST CASE - A03-2013-005968
 AUGUST-2013 - WARRANT FOR PAROLE- 619603 - 40 DAYS LEFT ON PAROLE-
 AUGUST-18-2013 - ARREST FOR WARRANT 2013 BX 005968
 FALSE ARREST / VCL-511-

If YES, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s).

B. Does the jail, prison or other correctional facility where your claim(s) arose have a grievance procedure?

Yes ☒ No ☐ Do Not Know ☐

C. Does the grievance procedure at the jail, prison or other correctional facility where your claim(s) arose cover some or all of your claim(s)?

Yes ☐ No ☐ Do Not Know ☐

If YES, which claim(s)? _____

D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose?

Yes ☐ No ☐

If NO, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

Yes ☐ No ☐

E. If you did file a grievance, about the events described in this complaint, where did you file the grievance?

1. Which claim(s) in this complaint did you grieve? _____

2. What was the result, if any? _____

3. What steps, if any, did you take to appeal that decision? Describe all efforts to appeal to the highest level of the grievance process. _____

F. If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here: _____

2. If you did not file a grievance but informed any officials of your claim, state who you informed, _____

Rev. 05/2010

I would have completed parole 10-2013
If it were not for a warrant in April 2013 for
this false arrest - my family has been
harassed at 4 AM on several occasions for
a warrant for a false arrest -

when and how, and their response, if any:

THIS IS A CLEAR
CASE OF MALICIOUS PROSECUTION

8-Court DATES - 90 DAYS - 2 lawyers - NO

MOTION'S FILED IN MY BEHALF - NO COURT COSTS

AVAILABLE - FOR A MISDEMEANOR - VTC 511 -

VIOLATION OF MY 6th AMENDMENT RIGHT TO CONFIRMATION + THE RIGHT TO IT...

G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies.

I HAVE LOSS - 25 POUNDS OF STRESS

I HAVE NOT BEEN IN CONTACT WITH MY FAMILY IN MY NAME

MY CHILDREN SINCE AUGUST - I HAVE 2 LAWYERS FOR

90 DAYS ON A MISDEMEANOR - WITH 8 COURT APPEARANCES

I WAS A DISCIPLINARY ACTION PENDING ON BOTH AT 61 BROADWAY

FOR MISCONDUCT / NEGLECT OF LEGAL MATTER AND OTHER

EC/DV VIOLATIONS AND MORAL + ETHICAL VIOLATIONS

TO BE MENTIONED AT MY TRIAL...

Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.

V. Relief:

State what you want the Court to do for you (including the amount of monetary compensation, if any, that you are seeking and the basis for such amount).

I HAVE STATED ON THE RECORD
IN COURT - APR 3 - 8-24-15 THIS IS A BASELESS PROSECUTION
OCTOBER - 8TH 2015 I ASKED THE COURT FOR MY DAY IN COURT
TO PRESENT MY EXCULPATORY EVIDENCE - PAYSTUBS - PHOTOS
AND MY PAROLE OFFICER'S TESTIMONY... AND "CAME VERIFICATION -
I SAID "NO - TICKETS - NO TOW TRUCK TO THE IMPOUND OR
PRELIM - AND NO VIDEO FOOTAGE" THIS CAR WAS
IMMOBILE... I HAVE WITNESSES TO VERIFY THIS...

OFFICER JIMENEZ ACTS WERE WITH MATHS AND
INTENT... AND OF A PERJURIOUS AND CALLOUS NATURE...
TO PERSONALLY & INTENTIONALLY INFLECT EMOTIONAL DISTRESS
AND I HAVE SUFFERED A PAROLE VIOLATION AND OTHER
MISDEMEANORS OF JUSTICE DUE TO HIS ACTIONS AND
DEMAND - \$1,500,432.00 FOR PAIN
AND SUFFERING PUNITIVE AND MONETARY DAMAGES
41128 AMOUNT CONSTITUTION VIOLATIONS...

VI. Previous lawsuits:

A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action?

Yes ☐ No ☒

On
these
claims

NO - CITATIONS ISSUED... NO TOW TRUCK TO
IMPOUND OR PRELIM... NO VIDEO FOOTAGE OF FALSE ARREST
OR ALLEGED TRAFFIC STOP... (MAFFEASIDE) THIS VEHICLE
IS PARKED IN OUR COMMON PARKING AREA
"PHOTOS INCLUDED"

1. Parties to the previous lawsuit:

Defendants _____

7. What was the result of the case? (For example: Was the case dismissed? Was there judgment in your favor? Was the case appealed?) _____

C. Have you filed other lawsuits in state or federal court otherwise relating to your imprisonment?
Yes _____ No

1. Parties to the previous lawsuit:

Defendants _____

7. What was the result of the case? (For example: Was the case dismissed? Was there judgment in your favor? Was the case appealed?) _____

I'm experiencing other Constitutional Violations
Ex. 6 Amendment Right to Confrontation - And Speedy Trial
14th - Due process and Equal protection under the law -
Rev. 05/2010
MALICIOUS Prosecution And
MALICIOUS/ABUSE OF PROCESS CLAIM, FRAUD.

EKG Car Care, Inc.

It's broken, we fix it

375 E 163rd St

Bronx, N.Y 10451

5/23/24

MALICE NO PROBABLE CAUSE
MALICIOUS USE OF PROCESS
EGREGIOUS CONDUCT on
behalf of OFFICER JIMENEZ #26571

To Whom It May Concern:

The Following letter has been drafted to verify the employment of Tremaine Anthony Robertson, As of Monday January 7, 2013. He has been hired as a auto technician and Auto Body apprentice at E.K.G Car Care Inc. located at 375 E 163rd Bronx, New York 10451. Mr. Robertson hours are from 11 am till close Mon- Sat at a weekly salary of 350.00 per week for more info please contact owner/employer James Pelle at [REDACTED]

MENTAL ANGUISH
LOSS OF LIBERTY AND CIVIL RIGHTS

X *James Pelle*

James Pelle
Owner

MALICIOUS USE OF PROCESS

MALICIOUS PROSECUTION \$500
FALSE ARREST CASE
FALSE IMPRISONMENT

FEB-2013 - BAILED OUT FROM
AUG-2015 - 36 MONTHS WITHOUT ANY POLICE CONTACT -
I ONLY HAD A FEW WEEKS LEFT ON PAROLE BEFORE
I CAUGHT A WARRANT FOR THIS 2013 - CAR CASE / FALSIFIED
I WANTED IN AUGUST 2013 - BECAUSE OF PROBLEMS WITH
OFFICER JIMENEZ FALSE POLICE REPORTS... (PAROLE WARRANT 619603)
I HAVE WITNESSES THAT CAN VERIFY THIS CAR WAS PARKED
AND I WAS NOT DRIVING... CHECK THE PHOTOS... AND
WHY IS THERE NO TICKETS, NO TOWTRUCK REPORT, NO VIDEO
OF THIS FALSE REPORT... PL- 210145
135
103
10

FRAUD
MISCONDUCT



EKG Car Care, Inc.

It's broken, we fix it

375 E 163rd St. Melrose ave
Bronx, NY 10451

To Whom It May Concern:

The following letter has been written to verify the continued employment of Tremaine A. Robertson at EKG Care located at 375 East 163rd Bronx, New York 10451. Mr Robertson hours are from 11:00 am until close Monday thru Saturday. His duties include mechanical repairs and minor body work repairs. His weekly salary is \$350 per week. For more information please contact James Pelle at [REDACTED]

X James Pelle
James Pelle
Owner

6/26/2013
Officer Jansner knowingly
VIOLATED the law he took an
OATH to protect & serve not
bring a I.E or M.A.C.I.S. intent
and - Intentional Infliction of Emotional
Distress or Malfeasance to his
PLACE of Employment.
* EGREGIOUS Dereliction of DUTY X

My Constitutional Rights have
been violated 4th 8th 14th - And
Officer Jansner is in violation
of PC- 210.65 - And other
charges including fraud

The Time lines Shows without this
FALSE Arrest. I would not be compensated
today. I am willing to submit to a polygraph
to show my Innocence.

This False Arrest VIOLATES MY Parole

NO RECORD NYSPIN LIC/ASN7138.NY

OPERATOR [REDACTED] RUN: 01/30/2013 03:21:24

!761CCDB999787
 NYSP PARQ NYPA 0321
 NY03030F1
 NO RECORD - NYSPIN PAROLE FILE
 NAM/HENDERSON,CAROLYN D
 .SEX/F.RAC/ .DOB/011347

*I HAVE STATED NO TICKETS
 NO DW TRUCK NO VIDEO FOOTAGE
 ON COURT RECORD - 12-24-2015 -
 AS WITH NO CONSTITUTIONAL I
 Plan to appeal NO [REDACTED] what
 the final decision*

OPERATOR [REDACTED] RUN: 01/30/2013 03:21:24

!761CCDB999787
 NYMV RVIN NYPA 0321
 NVN4T1SK12E6PU314963
 HEDR/H05496 22309 620903-47
 LIC/ASN7138. LIY/2013. LIT/PC.
 VIN/4T1SK12E6PU314963. VYR/1993. VMA/TOYT. VMO/CAM. VST/4D. VCO/GRN
 1993 TOYOTA CAMRY, GREEN FOUR-DOOR SEDAN, 3053 POUNDS

*I have A recent Drivers
 Abstract from June - 2015 -
 NO TICKETS from 2013*

** REGISTERED TO **
 HENDERSON,CAROLYN, D
 DOB/1947-01-13. SEX/FEMALE.
 80 SKY MEADOW PL WHITE PLAINS, NY 10607

LICENSE PLATE: ASN7138 DMV REGISTRATION CLASS: PAS (016)
 STYLE: EMPIRE LOGO: EMPIRE LEGEND: PASSENGER
 PLATE ISSUED: 2001-07-23

INSURANCE: NO INSURANCE CODE ON FILE (000)
 REGISTRATION EXPIRATION DATE: 2013-08-29
 STATUS: SURRENDERED - VOLUNTARY SURRENDER: PLATES DESTROYED
 2012-11-26 SURRENDERED - VOLUNTARY SURRENDER: PLATES DESTROYED

*NO Summons
 ISSUED -
 No DW TRUCK
 To Present or
 Impound
 NO VIDEO
 FOOTAGE NO
 BATTERY in the
 CAR... AND
 Rear Low Tire
 No - Crime Comm
 I WAS AT WORK*

OPERATOR [REDACTED] RUN: 01/30/2013 03:21:24

!761CCDB999787
 NCIC TTST NYPA 0321
 NY03030F1

NO RECORD LIC/ASN7138

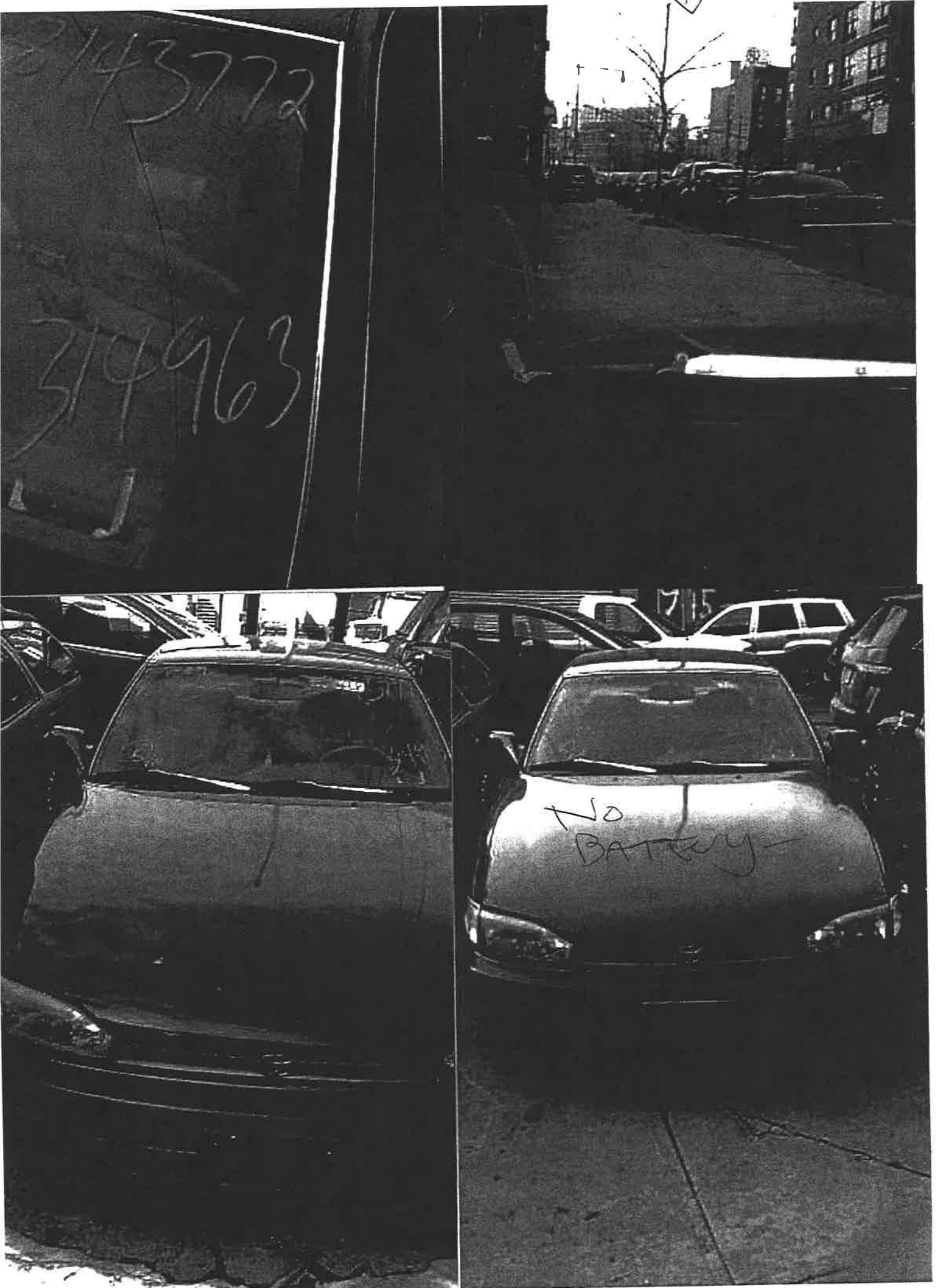
*NO TICKETS, NO IMPOUND NO TRUCK
 NO VIDEO - NO - CASE -
 (FRAUD)
 Car was Immobilized -
 FALSE ARREST - VIOLATION OF MY CIVIL RIGHTS
 + Constitutional Rights
 4th - 6th - 8th - 12th*

OPERATOR [REDACTED] RUN: 01/30/2013 03:21:24

This C46 (1/1/15) was on the sidewalk 14
or common parking area - I took this
photo while sitting in 93 - Canyon 120 feet
away from shop entrance -

NO TICKETS NO TOW TRUCK NO MAKING
NO VIDEO FOOTAGE NO CRIME COMMITTED

L/7th 8th 14th
Amendment VIOLATIONS
and PL-210-45
PL 210-05 35
15



93-Toyota Camry on snow west

immobilized - NO Battery same place as

PHOTOS I TOOK - 1-28-2013 - Time

PLACE OF FALSE ARREST

"FRAUD"



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Travine A. Robertson

(Full name(s) of the plaintiff or petitioner applying (each person must submit a separate application))

-against-

STATE OF NEW YORK

Police Commissioner B. Bratton

42ND Precinct NYC Police Department

(Full name(s) of the defendant(s)/respondent(s).)

CV

() ()

(Enter case number and initials of assigned judges, if available; if filing this with your complaint, you will not yet have a case number or assigned judges.)

OFFICER J. J. Jimenez # 2657
OF the 42ND Precinct

APPLICATION TO PROCEED WITHOUT PREPAYING FEES OR COSTS

I am a plaintiff/petitioner in this case and declare that I am unable to pay the costs of these proceedings and I believe that I am entitled to the relief requested in this action. In support of this application to proceed *in forma pauperis* ("IFP") (without prepaying fees or costs), I declare that the responses below are true:

1. Are you incarcerated? ☒ Yes ☐ No (If "No," go to Question 2.)

I am being held at: _____

Do you receive any payment from this institution? ☐ Yes ☒ No

Monthly amount: _____

If I am a prisoner, *see* 28 U.S.C. § 1915(h), I have attached to this document a "Prisoner Authorization" directing the facility where I am incarcerated to deduct the filing fee from my account in installments and to send to the Court certified copies of my account statements for the past six months. *See* 28 U.S.C. § 1915(a)(2), (b). I understand that this means that I will be required to pay the full filing fee.

2. Are you presently employed? ☐ Yes ☒ No

If "yes," my employer's name and address are: _____

Gross monthly pay or wages: _____

If "no," what was your last date of employment? _____

Gross monthly wages at the time: _____

3. In addition to your income stated above (which you should not repeat here), have you or anyone else living at the same residence as you received more than \$200 in the past 12 months from any of the following sources? Check all that apply.

(a) Business, profession, or other self-employment

☐ Yes

☒ No

(b) Rent payments, interest, or dividends

☐ Yes

☒ No

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 3rd day of NOVEMBER, 2015

Signature of Plaintiff

Inmate Number

Institution Address

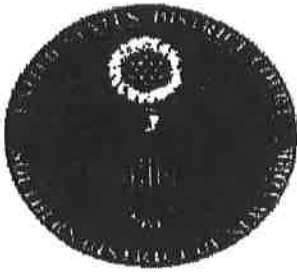
[Signature] SR
291-180-6769
AMKC - 1818 HAZEN STREET
6th ELMHURST NY 11370
DORM - WEST 17 UPPER A #28

Note: All plaintiffs named in the caption of the complaint must date and sign the complaint and provide their inmate numbers and addresses.

I declare under penalty of perjury that on this 3rd day of November, 2015 I am delivering this complaint to prison authorities to be mailed to the *Pro Se* Office of the United States District Court for the Southern District of New York.

Signature of Plaintiff:

[Signature] SA



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PRISONER AUTHORIZATION

Case Name:

Terrence A. Roberts Sr.
(Enter the full name of the plaintiff(s))

City of New York Police
Department 42 Precinct
v. Officer J. J. J. #26571
(Enter the full name of the defendant(s))

Docket No:

No. ____ Civ. ____ ()

(Enter the docket number, if available; if filing this with your complaint, you will not have a docket number.)

My mailing address 140-19 ASch loop Apt 19 G Bx NY 10475

The Prison Litigation Reform Act ("PLRA" or "Act") amended the *in forma pauperis* statute (28 U.S.C. § 1915) and applies to your case. Under the PLRA, you are required to pay the full filing fee when bringing a civil action if you are currently incarcerated or detained at any facility. If you do not have sufficient funds in your prison account at the time your action is filed, the Court must assess and collect payments until the entire filing fee of \$350.00 has been paid, no matter what the outcome of the action.

SIGN AND DATE THE FOLLOWING AUTHORIZATION:

Terrence A. Roberts Sr. (print or type your name), request and authorize the agency holding me in custody to send to the Clerk of the United States District Court for the Southern District of New York, or, if this matter is transferred to another district court, to the Clerk of the transferee court, a certified copy of my prison account statement for the past six months. I further request and authorize the agency holding me in custody to calculate the amounts specified by 28 U.S.C. § 1915(b), to deduct those amounts from my prison trust fund account (or institutional equivalent), and to disburse those amounts to the United States District Court for the Southern District of New York. This authorization shall apply to any agency into whose custody I may be transferred, and to any other district court to which my case may be transferred and by which my poor person application may be decided.

I UNDERSTAND THAT BY SIGNING AND RETURNING THIS NOTICE TO THE COURT, THE ENTIRE COURT FILING FEE OF \$350.00 WILL BE PAID IN INSTALLMENTS BY AUTOMATIC DEDUCTIONS FROM MY PRISON TRUST FUND ACCOUNT EVEN IF MY CASE IS DISMISSED OR EVEN IF I VOLUNTARILY WITHDRAW THE CASE.

November 30, 2015
Date signed

Terrence A. Roberts Sr.
Signature of Plaintiff

241 150-6769
Prisoner I.D. Number

AMKC-18 18 HAZEN STREET
Name of current facility

EAST Elmhurst New York 11370
Dorm - west 17 - upper A # 28

REWARD A ROBBERSON
241-15-06769

ANKC-18-18-TURNER STREET
EAST ELmhurst NEW YORK 11370
DORR WEST 17 JEFF A # 28



SDNY
USMP3

ATT-to-Pro SE Intake Unit
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
DANIEL PATRICK MONTGOMERY UNITED STATES COURT HOUSE

500 PEARLE STREET ROOM 200

NEW YORK NEW YORK 10007

2015 NOV 10 AM 9:33

